## APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Returned to application filed	Date of filing in State Engineer's Office. OCT 1 1 1995  Returned to applicant for correction	
The applicant. FirstMiss Gold, Inc.  Of Golconds  Nevada 89414  Same and No. or FO. Sau No.  Point of diversion, manner and place of use of a portion  Note of diversion, manner and place of use of a portion  Foliated diversion, manner and place of use of a portion  Foliated diversion, manner of ear, makey piece of use  Note of diversion, manner of ear, makey piece of use  I the source of water is. Underground  I the source of water is. Underground  Name of stream, lists, underground spring or other source.  The amount of water to be changed. 9, 22 CF3: 66, 054 MGA  Second fire, sure fact One scool feet equals 498.3 gallow per mission.  The water to be used for, mining, milling, and dewardering.  I the water the retofore permitted for, mining, and milling, and dewardering.  I the water heretofore permitted for, mining, and milling, and disposed or local dewardering of the plt1  Irrigation, power, manner, industrial, or if for usek state number and laid of animals.  I the water heretofore permitted for, mining, and milling, and dewardering of the plt1  Irrigation, power, manner, industrial, or if for usek state number and laid of animals.  I the water is to be diverted at the following point, vithin, Rig. SMF, section 33, 1598, R42E, MDM  at a point from which the SM corner of said section 33 bears \$45°59'30" M, 3170, B, dataset as a section cover if as assurecyclistal, should be assured.  The continued permitted point of diversion is located within, SEE, SMF, section 9, T38N, R42E, MDM at a light per investigate and stream, and the property of the permitted point of diversion is located within, SEE, SMF, section 9, T38N, R42E, MDM at a light per investigate such assured to a section of section section of the permitted point of diversion is located within, SEE, SMF, section 9, T38N, R42E, MDM and sections 3, 4, 9, and 10 in T38N, R42E, MDM.  Beach set by legal subdivisions. If permit is be diversion is located within sections 3, 4, 9, and 10 in T38N, R42E, MDM.  Beach set by set subdivisions. If permit is be trip		
Server and No. or No. Bus No.  Nevada 89414  Server and No. or No. Bus No.  Nevada 89416  Server and No. or No. Bus No.  Nevada 89416  Server and No. or No. Bus No.  Point of diversion, manner and place of use of a portion  Permit of 3030 (Surmer Camp Pit Sump)  Identify stantage right by Permit. Certificate. Proof or Chain Nos. If Decreed, give title of Decree and Identify right to Decree.  1. The source of water is.  "Index of stream, bits: subforgand spring or other source.  2. The amount of water to be changed  2. Second Equ. are to One second foot equal, 41k D gallous per minuse.  3. The water to be used for, mining, milling and deventering.  3. The water to be used for, mining, milling and milling (including dewatering of the pit)  Integration, poer, minuse, industrial, or If for sect uses manter and text of semant.  4. The water heretofore permitted for mining and milling (including dewatering of the pit)  Integration, poer, minuse, industrial, or If for sect uses manter and text of semant.  5. The water is to be diverted at the following point, Within In St. St. Section 33, T39N, R42E, MDM  at a point from which the SW conner of said section 35 bears \$45°59'30" W, 3120. 8:  distance as section cover if we userveyed leaf, it about to sused.  feet distant, from the ap pit per inerter well known as PM-1  6. The existing permitted point of diversion is located within SE4 SW4 section 9, T38N, R42E, MDM at a Horse of the section of the	Corrected application filed	Map filed <b>OCT 1 6 1995</b> under 61601
Server and No. or No. Bus No.  Nevada 89414  Server and No. or No. Bus No.  Nevada 89416  Server and No. or No. Bus No.  Nevada 89416  Server and No. or No. Bus No.  Point of diversion, manner and place of use of a portion  Permit of 3030 (Surmer Camp Pit Sump)  Identify stantage right by Permit. Certificate. Proof or Chain Nos. If Decreed, give title of Decree and Identify right to Decree.  1. The source of water is.  "Index of stream, bits: subforgand spring or other source.  2. The amount of water to be changed  2. Second Equ. are to One second foot equal, 41k D gallous per minuse.  3. The water to be used for, mining, milling and deventering.  3. The water to be used for, mining, milling and milling (including dewatering of the pit)  Integration, poer, minuse, industrial, or If for sect uses manter and text of semant.  4. The water heretofore permitted for mining and milling (including dewatering of the pit)  Integration, poer, minuse, industrial, or If for sect uses manter and text of semant.  5. The water is to be diverted at the following point, Within In St. St. Section 33, T39N, R42E, MDM  at a point from which the SW conner of said section 35 bears \$45°59'30" W, 3120. 8:  distance as section cover if we userveyed leaf, it about to sused.  feet distant, from the ap pit per inerter well known as PM-1  6. The existing permitted point of diversion is located within SE4 SW4 section 9, T38N, R42E, MDM at a Horse of the section of the	The applicant FirstMiss Gold, Inc.	
Nevada 89414  State and 2 pc case No.  Point of diversion, manner and place of use of a portion  What of diverse, manner and place of use of a portion  What of diverse, manner and place of use of a portion  What of diverse, manner and place of use of a portion  What of diverse, and remains a point of the point of diversion in the point of diversion is located within NE, SN; section 9, T38N, R42E, MDM at a point from which the south querter corner of said section 9, T38N, R42E, MDM at a point from which the south querter corner of said section 9, T38N, R42E, MDM at a point from which the south querter corner of said section 9, T38N, R42E, MDM at a point from which the south querter corner of said section 9, T38N, R42E, MDM at a point from which the south querter corner of said section 9, T38N, R42E, MDM at a point from which the south querter corner of said section 9, T38N, R42E, MDM at a point from which the south querter corner of said section 9, T38N, R42E, MDM at a point from which the south querter corner of said section 9, T38N, R42E, MDM at a point from which the south querter corner of said section 9, T38N, R42E, MDM at a point from which the south querter corner of said section 9, T38N, R42E, MDM at a point from which the south querter corner of said section 9, T38N, R42E, MDM at a point from which the south querter corner of said section 9, T38N, R42E, MDM at a point from which the south querter corner of said section 9, T38N, R42E, MDM at a point from which the south querter corner of said section 9, T38N, R42E, MDM at a point from which the south querter corner of said section 9, T38N, R42E, MDM at a point from which the south querter corner of said section 9, T38N, R42E, MDM at a point from which the south querter corner of said section 9, T38N, R42E, MDM at a point from both point which the south querter corner of said section 9, T38N, R42E, MDM at a point point point point which the point point	•	
Point of diversion, manner and place of use of a portion Point diversion, manner are sudor piace of use of water heretofore appropriated under Permit 53030. (Summer Cemp Pit Sump) Beently eximing right by Permit. Certificate. Proof of Claim Not. If Decreed, give list of Decree and literally right in Decree.  1. The source of water isunder_ground		
Fine of discretion, insure of successing right by Permit. Certificate. Proof of Claim Nos. If Decreed, give title of Decree and John State of States and Print States. Proof of Claim Nos. If Decreed, give title of Decree and John States and Print States. Proof of Claim Nos. If Decreed, give title of Decree and John States and John States. Proof of Claim Nos. If Decreed, give title of Decree and John States. Proof of Claim Nos. If Decreed, give title of Decree and John States. Proof of Claim Nos. If Decreed, give title of Decree and John States. Proof of Claim Nos. If Decreed, give title of Decree and John States. Proof of Claim Nos. If Decreed, give title of Decree and John States. Proof of Claim Nos. If Decreed, give title of Decree and John States. Proof of Claim Nos. If Decreed, give title of Decree and John States. Proof of Claim Nos. If Decreed, give title of Decree and John States. Proof of Claim Nos. If Decreed, give title of Decree and John States. Proof of Claim Nos. If Decreed, give title of Decree and John States. Proof of Claim Nos. If Decreed, give title of Decree and John States. Proof of Claim Nos. If Decreed, give title of Decree and John States. Proof of Claim Nos. If Decreed, give title of Decree and John States. Proof of Claim Nos. If Decree and John States. Proof of Claim Nos. If Decree and John States. Proof of Claim Nos. If Decree and John States. Proof of Claim Nos. If Decree and John States. Proof of Claim Nos. If Decree and John States. Proof of Claim Nos. If Decree and John States. Proof of Claim Nos. If Decree and John States. Proof of Claim Nos. If Decree and John States. Proof of Claim Nos. If Decree and John States. Proof of Claim Nos. If Decree and John States. Proof of Claim Nos. If Decree and John States. Proof of Claim Nos. If Decree and John States. Proof of Claim Nos. If Decree and John States. Proof of Claim Nos. If Decree and John States. Proof of Claim Nos. If Decree and John States. Proof of Claim Nos. If Decree and John States. Proof of Claim Nos. If Decree and John State	Nevada 89414 State and Zip Code No.	hereby make application for permission to change the
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1. The source of water is underground  Name of stream, lake, underground uping or other source.  2. The amount of water to be changed 0. 2.8 CFS; 66.054 MGA  Second For ser face from second foot equals 448.83 galloons per minute.  3. The water to be used for mining, milling and dewotering [Impairon, power, mining, industrial, etc. If for stock state number and kind of animals.  4. The water heretofore permitted for mining and milling (including dewotering of the pit) Impairon, power, mining, industrial, etc. If for stock state number and kind of animals.  5. The water is to be diverted at the following point. If thin NE_2 SW_2 section 33, T39N, R42E, MDM  Describe a being within 40 sec subdivision of public survey and by course and at a point from which the SW corner of said section 33 boars S 45°59'30" W, 3120, 80  distance to a section corner. From unsurveyed land, a feature with a section 33 boars S 45°59'30" W, 3120, 80  distance to a section corner. From unsurveyed land, a feature within SE_2 SW_2 section 9, T38N, R42E, MDM at a  If proint diversions and changed, do not unswer, point from which the south quarter corner of said section 9, T38N, R42E, MDM at a  If proint diversions and changed, do not unswer, point from which the south quarter corner of said section 9, T38N, R42E, MDM  bears S 00° 32' E, a distance of 862 feet.  7. Proposed place of use. Within sections 21, 22, 23, 26, 27, 28, 29, 32, 35, and 34 in  Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  T39N, R42E, MDM; and sections 3, 4, 9, and 10 in T38N, R42E, MDM.  Describe by legal subdivisions. If permit is for tringation state number of acres to be irrigated.  1. Describe by legal subdivisions. If permit is for tringation state number of acres to be irrigated.  1. Describe by legal subdivisions. If permit is for tringation state number of acres to be invested. It changing place of use and/or  1. Mouth and Day Mooth and Day Of each year.  Mouth and Day Of each year.  Mouth and Day Of each year.  Mouth	Identify e.	xisting right by Permit, Certificate, Proof of Claim Nos. If Decreed, give title of Decree and
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5. The water is to be diverted at the following point. Within NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> section 33, T39N, R42E, MDM  Describe as being within a 40 acre subdivision of public survey and by course and at a point from which the SW corner of said section 33 bears \$ 45°59'30" W, 3120.8 distance to a section corner. If on unsurveyed land, it should be stated, feet distant, from the a pit perimeter well known as PW-1  6. The existing permitted point of diversion is located within. SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> section 9, T38N, R42E, MDM at a If point of diversion is not charged, do not answer, point from which the south quarter corner of said section 9, T38N, R42E, MDM  bears \$ 00° 32' E, a distance of 862 feet.  7. Proposed place of use. Within sections 21, 22, 23, 26, 27, 28, 29, 32, 33, and 34 in Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  T39N, R42E, MDM; and sections 3, 4, 9, and 10 in T38N, R42E, MDM.  Describe by legal subdivisions. If permit is few trigation, state number of acres to be irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.  9. Use will be from January 1 to December 31		
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14. Estimated time required to complete the application	cation of water to beneficial use
15. Remarks: For use other than irrigation or st consumptive use:	tock watering, state number and type of units to be served or annual
<pre>pumpage will serve to dewater th stabilize pit highwall solpes. purposes including milling, dust</pre>	an existing pit perimeter well, PW-1. The ne Getchell Mine underground workings and to The water will be used for miscellaneous mining control, drilling, and mining. This point of porary Permits No. 58640T and 58159T.
	By S/ Michael S Smith MICHAEL S. SMITH, AGENT
Compared ds/ CMg cl/bk	SAGE ENGINEERING 3210 Markridge Dr., Reno NV 89509
Protested 02/27/96, by LaVar Murdock,	owner of Ada-s Peak Properties
	VAL OF STATE ENGINEER
This is to certify that I have examined the following limitations and conditions:	oregoing application, and do hereby grant the same, subject to the
of a portion of the waters of an un 53030 is issued subject to the ter with the understanding that no or change proposed herein. A totali discharge pipeline near the point of water placed to beneficial use. use of the water begins or before source is located within an area 534.030.  This permit is issued under the manner of use of water under the use and any application to chang be subject to additional determine effects on existing rights and the this permit will allow the mining operations. It is understand the subject to additional determines of the subject to additional determines of the subject to additional determines of the subject to additional determines.	coint of diversion, manner of use and place of use inderground source as heretofore granted under Permit rms and conditions imposed in said Permit 53030 and ther rights on the source will be affected by the zing meter must be installed and maintained in the of diversion and accurate measurements must be kept. The totalizing meter must be installed before any e the proof of completion of work is filed. This designated by the State Engineer pursuant to NRS of the preferred use provisions of NRS Chapter 534. This permit is by nature of its activity a temporary re the manner of use granted under this permit will action and evaluation with respect to the permanent resource within the ground water basin. Permittee to dewater the pit area and underground stood that any water pumped as a result of this first by the permittee for surface and underground
The amount of water to be changed shall be limited	ed to the amount which can be applied to beneficial use, and not to
exceed 0.28	cubic feet per second, but not to exceed 66.054 million
gallons annually.	
	e and be completed on or before February 30, 1997
Proof of completion of work shall be filed before	March 30, 1997
Application of water to beneficial use shall be made	e on or before February 30, 1998
Proof of the application of water to beneficial use s	hall be filed on or before
Map in support of proof of beneficial use shall be f	filed on or before
Completion of work filed	IN TESTIMONY WHEREOF, I,
Proof of beneficial use filed	office, this 3rd day of May
Cultural map filed	A.D. 19
Certificate NoIssued	201-1/1/1 - 1

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## (PERMIT TERMS CONTINUED)

mining, milling, leaching, drilling, road watering and other related mining uses hereinafter referred to as mining and milling uses within the described place of use of this permit.

The State Engineer retains the right to regulate pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and existing rights. Any water produced from this dewatering operation and not used for mining and milling purposes must be injected or infiltrated back to the Kelley Creek Groundwater Basin. The method of infiltration shall be designed to minimize any evaporation losses. Any injection or infiltration of water must have the necessary permits issued by the Nevada Division of Environmental Protection.

This permit does not extend the permittee the right of ingress and egress on public, private, or corporate land.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection relating to the dewatering project.

The total combined duty of water for consumptive purposes under Permits 28758, Certificate 13803; 45730, Certificate 13805; 45731, Certificate 13806; 45732, Certificate 13807, 49815, Certificate 13809; 51990, 52476, Certificate 13817; 53015; 53030; 58406; 58408; 61546; 61557-T; 61558-T; 61559-T; 61601; 61602; 61603; 61604; 61605; 61667-T; 61686; 61688; 61689; 61690 and 61862-T shall not exceed 1034.0 million gallons annually.

The total combined diversion rate under the above referenced permits and any subsequent changes to these permits shall not exceed 15.60 cubic feet per second (7,000 gallons per minute).

Monthly records will be kept of the following: the volume of water pumped from each well, the volume of water consumptively used for mining and milling uses project wide, the amount of water discharged to infiltration or injection and the water level (static or pumping) of each permitted well and monitoring wells HL-1, DM-3, MW-16, MW-17 and MW-18. These records will be submitted within 15 days after the end of each month. A method that estimates the amount of evaporative losses from the discharge system will be submitted with the monthly report. The evaporative losses will be considered as a part of the combined duty for consumptive purposes.

All flow measurements taken at those locations described in Covenant 2.3 (Flow Measurement) of the Water Resources agreement between FirstMiss Gold, Inc. and LaVar Murdock, dba Adams Peak Properties dated February 27, 1996, shall be reported in the above monthly report.

All of the above stated conditions are issued subject to having no adverse impacts on existing rights.